

**Notice of Allowability**

Application No.

10/653,082

Examiner

Demetrius R. Pretlow

Applicant(s)

IZUMO ET AL.

Art Unit

2863

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to April 1, 2005.2.  The allowed claim(s) is/are 18-28.3.  The drawings filed on 02 December 2003 are accepted by the Examiner.4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).a)  All    b)  Some\*    c)  None    of the:1.  Certified copies of the priority documents have been received.2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.**Attachment(s)**

1. <input type="checkbox"/> Notice of References Cited (PTO-892)	5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.
3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____.	7. <input type="checkbox"/> Examiner's Amendment/Comment
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9. <input type="checkbox"/> Other _____.

## DETAILED ACTION

### *Allowable Subject Matter*

Claims 18-27 are allowed.

The primary reason for the allowance of claims 18-24 is the inclusion of the method steps of detecting at least one value of a pre-determined parameter of a time function related to said time rate of change of moisture percentage; and determining and selecting an optimum heating temperature for the sample in accordance with the detected value of said parameter by determining a first value of the parameter at a subsequent heating temperature using a second value of the parameter at an immediately preceding heating temperature, comparing the first and second values, and in response to the comparison, determining and selecting the immediately preceding heating temperature as the optimum heating temperature. It is these steps found in each of the claims, as it is **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 25-26 is the inclusion of the method steps of detect at least one value of a pre-determined parameter of a time function related to said time rate of change of moisture percentage; and determine and select an optimum heating temperature for the sample in accordance with the detected value of said parameter. It is these steps found in each of the claims, as it is **claimed in**

**the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 27 and 28 is the inclusion of the limitations of an said controller detecting at least one value of a pre-determined parameter of a time function related to said time rate of change of moisture percentage, and determining and selecting an optimum heating temperature, using a temperature sensor, for the sample in accordance with the detected value of said parameter. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Demetrius R. Pretlow whose telephone number is (571) 272-2278. The examiner can normally be reached on Mon.-Fri. 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Demetrius R. Pretlow

*Demetrius Pretlow* 6/20/05

Patent Examiner

*Michael Nghiem*  
MICHAEL NGHIEM  
PRIMARY EXAMINER



Enter

U.T. 6/12/05

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Examiner: Demetrius Pretlow  
Art Unit 2863

Replacement Sheet

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FIG. 7

